

**FILED**UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

MAY 09 2023

FOR THE DISTRICT OF NEW MEXICO

MITCHELL R. ELFERS  
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**JEROME PHILLIPS,**

Defendant.

CRIMINAL NO.

23-053-JCHCount 1: 18 U.S.C. §§ 922(g)(1),  
922(g)(8), and 924: Prohibited Person in  
Possession of a Firearm and  
Ammunition;Count 2: 21 U.S.C. §§ 841(a)(1) and  
(b)(1)(C): Possession with Intent to  
Distribute a Mixture and Substance  
Containing Methamphetamine;Count 3: 18 U.S.C. § 924(c)(1)(A)(i):  
Using and Carrying a Firearm During  
and in Relation to a Drug Trafficking  
Crime, and Possessing a Firearm in  
Furtherance of Such Crime.INDICTMENT

The Grand Jury charges:

Count 1

On or about April 7, 2023, in San Juan County, in the District of New Mexico, the defendant, **JEROME PHILLIPS**, knowing that he had been convicted of at least one crime punishable by imprisonment for a term exceeding one year, specifically, fleeing/eluding arrest with a motor vehicle, and that he was subject to a court order that restrained him from harassing, stalking, or threatening an intimate partner, knowingly possessed a firearm and ammunition in an affecting commerce.

In violation of 18 U.S.C. §§ 922(g)(1), 922(g)(8) and 924.

Count 2

On or about April 7, 2023, in San Juan County, in the District of New Mexico, the defendant, **JEROME PHILLIPS**, unlawfully, knowingly, and intentionally possessed with intent to distribute a controlled substance, and the offense involved a mixture and substance containing a detectable amount of methamphetamine.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

Count 3

On or about April 7, 2023, in San Juan County, in the District of New Mexico, the defendant, **JEROME PHILLIPS**, during and in relation to a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, specifically, possession with intent to distribute methamphetamine as charged in Count 2 of this indictment, knowingly used and carried a firearm, and in furtherance of such crime, possessed said firearm.

In violation of 18 U.S.C. § 924(c)(1)(A)(i).

FIRST FORFEITURE ALLEGATION

Upon conviction of any offense(s) in violation of 18 U.S.C. §§ 922(g) and 924(c), the defendant, **JEROME PHILLIPS**, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in the commission of the offense(s), including, but not limited to:

- a. a Smith & Wesson .38 caliber pistol, serial number D320013, and
- b. approximately five rounds of .38 caliber ammunition.

SECOND FORFEITURE ALLEGATION

Count 2 of this indictment is realleged and incorporated as part of this section for the purpose of alleging forfeiture to the United States pursuant to 21 U.S.C. § 853.


Upon conviction of any offense in violation of 21 U.S.C. § 841, the defendant, **JEROME PHILLIPS**, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of each offense for which the defendant is convicted, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offense of conviction.

The property to be forfeited includes, but is not limited to, the following:

- a. a Smith & Wesson .38 caliber pistol, serial number D320013, and
- b. approximately five rounds of .38 caliber ammunition.

A TRUE BILL:

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FOREPERSON OF THE GRAND JURY

  
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Assistant United States Attorney

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